IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 64959-M of 2006

DATE OF DECISION : 05.12.2006

Vineet Chhikara & another

.... PETITIONERS

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Hemant Bassi, Advocate,
for the petitioners.

Mr. Partap Singh, Senior DAG, Haryana.

Mr. Arvind Singh, Advocate,
for the complainant.

* * *

Vineet Chhikara and his father Chander Singh Chhikara, apprehending their arrest in a non-bailable offence in case FIR No. 342 dated 20.9.2004 under Sections 379, 384, 468, 471, 120-B IPC, registered at Police Station Civil Lines, Karnal, have filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard the arguments of learned counsel for the parties and perused the FIR.

Counsel for the petitioners contends that the FIR in this case has been got registered by the complainant alleging that his one cheque was stolen from the cheque book in his office at Karnal. Counsel contends that actually, the said cheque was issued by the complainant to one Gowri Shankar Meena and when it was dishonoured, the said Gowri Shankar Meena issued notice to the complainant under Section 138 of the Negotiable Instruments Act. Counsel contends that the allegation of stealing the cheque by the petitioners from the office of the complainant at Karnal is totally false.

Counsel for the petitioners contends that vide order dated September 8, 2006, passed by this Court in Crl. Misc. No. 48606-M of 2006, the order dated 18.4.2006, passed by Chief Judicial Magistrate, Karnal, whereby the petitioners were declared proclaimed offenders was set aside and the petitioners were directed to appear before the concerned court within 15 days with liberty to avail their remedy of bail in accordance with law. In view of the said order, the petition for anticipatory bail filed by the petitioners i.e. Crl. Misc. No. 49145-M of 2006 was dismissed as withdrawn. Subsequently, the application for anticipatory bail filed by the petitioners has been dismissed by Sessions Judge, Karnal on 26.9.2006. Hence, this petition has been filed.

Counsel for the petitioners further states that in terms of the interim order dated October 19, 2006, the petitioners have appeared before the trial court and furnished their regular bail bonds, which have been accepted and attested vide order dated 26.10.2006, copy of which has been placed on record as Annexure P-15.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated October 19 2006, is made absolute.

Disposed of accordingly.

December 05, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**